IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4216 OF 2004

The State of Maharashtra ...Applicants

Versus

Vilas Atmaram Parulekar & Anr. ...Respondents

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Mr.V.B.Konde-Deshmukh, A.P.P. for Applicants.

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CORAM: A.M.KHANWILKAR, J.

FEBRUARY 11, 2005.

P.C.

1. There is delay of about 123 days in filing of Revision Application against the order dated 4th July 2002. Notice was issued by this Court on the delay application on 14th January 2005 and the Applicants were called upon to serve the Respondents before the returnable date. No steps have been taken in that behalf. On this count, Application deserves to be dismissed for non-prosecution.

2. Even if the submission of learned A.P.P. that Respondents have been served, was to be accepted, I see no reason to entertain this Application, as the delay of 123 days is not satisfactorily explained. Moreover, the order which is challenged in the Revision Application is only requiring the prosecution to pay cost of Rs.500/- (Rupees Five Hundred) to the accused for the reasons mentioned in the order dated 4th July 2002. No interference is warranted in respect of the said order. Dismissed.

A.M.KHANWILKAR, J.